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7 BANK OF AMERICA, N.A.

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

10  
11 MIGUEL AVILA, an individual,

12 Plaintiff,

13 vs.

14 BANK OF AMERICA, a national association;  
15 U.S. BANK, NATIONAL ASSOCIATION, a  
business entity; OCWEN LOAN  
16 SERVICING, LLC, a business entity;  
CALIBER HOME LOANS, INC., a business  
17 entity; and Does 1 through 100, inclusive,

18 Defendants.

Case No. 4:17-cv-00222-HSG

(Removed from Alameda County Superior  
Court Case No. RG16842979)

**STIPULATION AND ORDER TO  
FURTHER EXTEND DEFENDANT'S  
RESPONSE DEADLINE**

The Honorable Haywood S. Gilliam, Jr.

Action Filed: December 19, 2016

Removal Date: January 17, 2017

1 Plaintiff Miguel Avila ("Plaintiff") and defendants BANK OF AMERICA, N.A.  
2 ("BANA") and OCWEN LOAN SERVICING, LLC ("Ocwen"), by and through their respective  
3 counsel of record, jointly stipulate and agree as follows:

4 **RECITALS**

- 5 1. On October 11, 2017, Plaintiff filed the Second Amended Complaint. Dkt. 66.
- 6 2. Defendants' deadline to respond to the Second Amended Complaint is October 25,  
7 2017.
- 8 3. The deadline for defendants Caliber and US Bank by stipulated order on October  
9 20, 2017 was extended from October 25, 2017 to November 27, 2017 by stipulated order on  
10 October 20, 2017 so that the parties could explore settlement options.
- 11 4. BANA and Ocwen may also explore settlement options with Plaintiff.
- 12 5. Plaintiff, BANA and Ocwen stipulate to extend the deadline for BANA and Ocwen  
13 to respond to the Second Amended Complaint to November 27, 2017, concurrently with the  
14 response due from defendants Caliber and US Bank, in order to preserve efficiency and judicial  
15 economy and in order to allow all parties to explore settlement options or else for Plaintiff to  
16 further amend the Complaint.
- 17 6. The parties hereto stipulate and agree that the extension request herein is not  
18 requested for purposes of delay and will not result in any prejudice to the parties or to the Court.

19 **STIPULATION**

20 WHEREFORE, the Parties stipulate and agree:

- 21 1. The deadline for BANA and Ocwen to file a response to the Second Amended  
22 Complaint is extended to November 27, 2017.

23 **IT IS SO STIPULATED.**

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25 [REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]  
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1 DATED: October 24, 2017

MELLEN LAW FIRM

2  
3 By: /s/ Jessica Galletta  
4 Jessica Galletta

5 Attorneys for Plaintiff  
6 MIGUEL AVILA

7 DATED: October 24, 2017

SEVERSON & WERSON  
A Professional Corporation

8  
9 By: /s/ Austin B. Kenney  
10 Austin B. Kenney

11 Attorneys for Defendant  
12 Defendant BANK OF AMERICA, N.A.

13 DATED: October 24, 2017

BRYAN CAVE LLP

14  
15 By: /s/ Flora Sarder  
16 Flora Sarder

17 Attorneys for Defendant  
18 OCWEN LOAN SERVICING, LLC

19 I, Austin B. Kenney, am the ECF user whose identification and password are being used to file  
20 this Stipulation. I hereby attest that Jessica Galletta and Flora Sarder have concurred in this filing.  
21 /s/ Austin B. Kenney

**ORDER**

Good cause appearing, the deadline for defendants BANK OF AMERICA, N.A. and OCWEN LOAN SERVICING, LLC to respond to the Second Amended Complaint of plaintiff Miguel Avila is extended to November 27, 2017.

**IT IS SO ORDERED.**

DATED: October 24, 2017

  
The Honorable Haywood S. Gilliam, Jr.  
United States District Court Judge